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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,256	02/19/2002	David K. Ovard	MI40-341	2878

21567 7590 02/26/2004

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EXAMINER	
LE, LANA N	

ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 02/26/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/081,256	OVARD ET AL.	
	Examiner	Art Unit	
	Lana Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 February 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The remote housing cannot be included as part of the interrogator since the claim state the remote housing both generate "the return link communication signal" and receive the "same return link communication signal".

Claim 31 disclose the "interrogator having a housing", if the communication stations and the housing are part of the interrogator, it cannot be transmitting and receiving the same "return link communication signal".

Claim 41 states the remote communication device receives the "return link wireless signal" which conflicts with its independent claim 24 in which the remote communication device transmits or communicating the "return link wireless signal". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 8, 10, 17-18, 21-22, 24, 30-31, 36-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Mahany et al (US 5,657,317).

Regarding claim 1, Mahany et al discloses a wireless communication system comprising:

at least one remote communication device (slave LAN peripheral device) configured to communicate a return link wireless signal "clear to send" message (col 51, lines 45-47) responsive to a forward link wireless signal (request to send message; col 51, lines 41-45);

an interrogator (master LAN peripheral device) including:

a communication station (radio unit of master LAN peripheral device) configured to output the forward link wireless signal (col 51, lines 41-45), to receive the return link wireless signal outputted from the remote communication device and to generate a return link communication signal "transmission of data signal" corresponding to the return link wireless signal (col 51, lines 47-49);

communication circuitry 3110 (master peripheral device's radio unit; col 49, lines 24-31) coupled with the communication station and configured to communicate the return link communication signal (col 51, lines 47-49); and

a housing (slave peripheral device's radio unit) remotely located with respect to the communication station and including circuitry 3110 (col 49, lines 24-31) configured to

receive the return link communication signal from the communication circuitry and to process by 3521 (fig. 37) the return link communication signal (col 51, lines 49-50).

Regarding claim 8, Mahany et al discloses the wireless communication system according to claim 1 wherein the communication circuitry includes a plurality of wireless transceivers 3110 individually coupled with one of the housing and the communication station (fig. 30; col 49, lines 24-31).

Regarding claim 10, Mahany et al discloses an interrogator of a wireless communication system comprising:

a plurality of communication stations (slave LAN peripheral devices) positioned in different locations and individually configured to output a forward link wireless signal (request to send message; col 51, lines 41-45); to receive a return link wireless signal responsive to the outputting "clear to send" message (col 51, lines 45-47), and to generate a return link communication signal "transmission of data signal" corresponding to the return link wireless signal (col 51, lines 47-49);

communication circuits 3110 (col 49, lines 24-31) individually coupled with the communication stations and configured to communicate respective ones of the return link communication signals (col 51, lines 47-49); and

a housing (slave peripheral device's radio unit) remotely located with respect to the communication stations and including circuitry 3110 (col 49, lines 24-31) configured to receive the return link communication signals from the communication circuits and to process by 3521 (fig. 37) the return link communication signals (col 51, lines 49-50).

Regarding claim 17, Mahany et al discloses the interrogator according to claim 10 wherein the communication circuitry includes a plurality of wireless transceivers 3110 (fig. 30; col 49, lines 24-31) individually coupled with one of the housing and the communication station.

Regarding claim 18, Mahany et al discloses an interrogator (master LAN peripheral device) of a wireless communication system comprising:
a plurality of communication stations (radio unit of master LAN peripheral devices) individually configured to output forward link wireless signals (request to send messages; col 51, lines 41-45); to receive return link wireless signals "clear to send" messages (col 51, lines 45-47) responsive to the outputting and to generate return link communication signals "transmission of data signals" corresponding to the return link wireless signals (col 51, lines 47-49); and
a housing (slave peripheral device's radio unit) remotely located with respect to at least one of the communication stations and including circuitry 3110 (col 49, lines 24-31) configured to receive the return link communication signals, "clear to send" messages (col 51, lines 45-47) from the communication stations and to process by 3521 (fig. 37) the return link communication signals (col 51, lines 49-50).

Regarding claim 21, Mahany et al discloses the interrogator according to claim 18 further comprising a plurality of communication circuits 3110 in radio units of master LAN peripheral devices configured to communicate the return link communication signals intermediate respective communication stations and the housing .

Regarding claim 22, Mahany et al discloses the interrogator according to claim 18 wherein the communication stations (radio units of master LAN peripheral devices) are individually positioned to receive return link wireless signals within one of a plurality of communication ranges (col 49, lines 37-40).

Regarding claim 24, Mahany et al discloses a method of communicating within a wireless communication system comprising:

providing an interrogator (master LAN peripheral device) and at least one remote communication device (slave LAN peripheral device);

communicating a forward link wireless signal (request to send message; col 51, lines 41-45) using a communication station (radio unit of master LAN peripheral device) of the interrogator (col 51, lines 41-45);

communicating a return link wireless signal "clear to send" message (col 51, lines 45-47) using the remote communication device responsive to the communicating of the forward link wireless signal (col 51, lines 45-47);

receiving the return link wireless signal within the communication station via receiver within master radio unit's transceiver 3110 (master peripheral device's radio unit; col 49, lines 24-31);

generating a return link communication signal "transmission of data signal" corresponding to the return link wireless signal (col 51, lines 47-49) within the communication station corresponding to the return link wireless signal (col 51, lines 47-49);

communicating the return link communication signal from the communication station (col 51, lines 49-50) using communication circuitry circuitry 3110 (master peripheral device's radio unit; col 49, lines 24-31); and

receiving the return link communication signal from the communication circuitry within a housing (radio unit of slave LAN peripheral device) of the interrogator remotely located from the communication station (col 51, lines 49-50).

Regarding claim 30, Mahany et al further discloses the method according to claim 24 further comprising processing via 3521 (fig. 37) the return link communication signal after receiving the return link communication signal.

Regarding claim 31, Mahany et al discloses a method of communicating within a wireless communication system comprising:

providing an interrogator (master LAN peripheral device) having a housing (slave LAN peripheral device) and a plurality of communication stations (radio units of master LAN peripheral devices) remotely located from the housing;

communicating forward link wireless signals using the communication stations of the interrogator (request to send message; col 51, lines 41-45);

receiving a return link wireless signal "clear to send" message (col 51, lines 45-47) within the respective communication stations of the interrogator responsive to the communicating the respective forward link wireless signals via receivers within transceivers 3110 of slave device's radio unit;

generating return link communication signals within the communication stations corresponding to the return link wireless signals "transmission of data signal" corresponding to the return link wireless signal (col 51, lines 47-49);

communicating the return link communication signals from the communication stations using respective communication circuits 3110 of master peripheral devices' radio units; col 49, lines 24-31) (col 51, lines 47-49); and

receiving the return link communication signals within the housing from the communication circuits (col 51, lines 49-50).

Regarding claim 36, Mahany et al further discloses the method according to claim 31 wherein the communication stations individually receive return link wireless signals within one of a plurality of communication ranges (col 49, lines 37-41).

Regarding claim 37, Mahany et al further discloses the method according to claim 31 further comprising processing via 3521 (fig. 37) the return link communication signals after the receiving the return link communication signals.

Regarding claim 38, Mahany et al further discloses the wireless communication system according to claim 1 wherein the interrogator comprises a plurality of the communication stations (master LAN peripheral device' radio units).

Regarding claim 39, Mahany et al further discloses the method according to claim 24 wherein the providing comprises providing the interrogator comprising a plurality of the communication stations (radio units of master LAN peripheral device).

Regarding claim 40, Mahany et al further discloses the wireless communication system according to claim 1 wherein the at least one remote communication device is

configured to receive the forward link wireless signal and to communicate the return link wireless signal "clear to send" message responsive to receiving the forward link wireless signal (col 51, lines 45-47).

Regarding claim 41, Mahany et al further discloses the method according to claim 24 further comprising receiving the return link wireless signal within the at least one remote communication device (see 112 rejection above, should be communication stations (radio units of master device), and wherein the communicating the return link wireless signal is responsive to the receiving (col 51, lines 45-47).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 2-6, 11-15, 19-20, 25-28, 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al in view of Kamgar et al (US 6,324,387).

Regarding claim 2, Mahany et al further discloses the wireless communication system according to claim 1 wherein Mahany et al didn't further disclose the communication station includes a low noise amplifier configured to increase the power

of the return link communication signal. Kamgar et al further discloses the communication station includes a low noise amplifier 105 configured to increase the power of the return link communication signal (col 2, lines 59-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a LNA in order to have the received signal increase its amplification via one common notoriously old component of the receiver's front end circuitry.

Regarding claim 3, Mahany et al discloses the wireless communication system according to claim 1 wherein Mahany et al didn't further disclose the housing includes adjustment circuitry configured to receive the return link communication signals from the communication circuits and to adjust an electrical characteristic of the return link communication signals. Kamgar et al further discloses the housing includes adjustment circuitry 140 configured to receive the return link communication signal from the communication circuitry and to adjust an electrical characteristic of the return link communication signal (col 4, lines 23-35; col 1, lines 54-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to adjust the return link communication signal in order to reduce intermodulation interference and to stabilize the amplified signal.

Regarding claim 4, Mahany et al and Kamgar et al disclose the wireless communication system according to claim 3 wherein Kamgar et al further discloses the adjustment circuitry is configured to output the return link communication signal at a substantially constant level (col 4, lines 29-30; col 3, lines 55-57).

Regarding claim 5, Mahany et al and Kamgar et al discloses the wireless communication system according to claim 3 wherein Kamgar et al further discloses the adjustment circuitry includes automatic gain control circuitry 140 (col 4, lines 23-35).

Regarding claim 6, Mahany et al discloses the wireless communication system according to claim 5 wherein the automatic gain control circuitry is configured to monitor the power of the return link communication signal and to adjust the power of the return link communication signal responsive to the monitoring (col 5, lines 31-64).

Regarding claim 11, Mahany et al further discloses the interrogator according to claim 10 wherein the communication stations individually include a low noise amplifier 105 configured to increase the power of the return link communication signals (col 2, lines 59-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a LNA in order to have the received signal increase its amplification via one common notoriously old component of the receiver's front end circuitry.

Regarding claim 12, Mahany et al further discloses the interrogator according to claim 10 wherein Mahany et al didn't further disclose the housing includes adjustment circuitry configured to receive the return link communication signals from the communication circuits and to adjust an electrical characteristic of the return link communication signals. Kamgar et al further discloses the housing includes adjustment circuitry 140 configured to receive the return link communication signal from the communication circuitry and to adjust an electrical characteristic of the return link communication signal (col 4, lines 23-35; col 1, lines 54-57). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to adjust the return link communication signal in order to reduce intermodulation interference and to stabilize the amplified signal.

Regarding claim 13, Mahany et al and Kamgar et al further disclose the interrogator according to claim 12 wherein Kamgar et al further discloses the adjustment circuitry is configured to output the return link communication signals at a substantially constant level (col 4, lines 29-30; col 3, lines 55-57).

Regarding claim 14, Mahany et al and Kamgar et al disclose the interrogator according to claim 12 wherein Kamgar et al further discloses the adjustment circuitry includes automatic gain control circuitry 140.

Regarding claim 15, Mahany et al and Kamgar et al disclose the interrogator according to claim 14 wherein Kamgar et al further discloses the automatic gain control circuitry is configured to monitor the power of the return link communication signals and to adjust the power of the return link communication signals responsive to the monitoring (col 5, lines 31-64).

Regarding claim 19, Mahany et al discloses the interrogator according to claim 18 wherein Mahany et al didn't further disclose the housing includes adjustment circuitry configured to adjust at least one electrical characteristic of the return link communication signals.

Kamgar et al further discloses the housing includes adjustment circuitry 140 configured to adjust at least one electrical characteristic of the return link communication signal (col 4, lines 23-35; col 1, lines 54-57). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to adjust the return link communication signal in order to reduce intermodulation interference and to stabilize the amplified signal.

Regarding claim 20, Mahany et al and Kamgar et al disclose the interrogator according to claim 19 wherein Kamgar et al further discloses the adjustment circuitry includes automatic gain control circuitry 140.

Regarding claim 25, Mahany et al discloses the method according to claim 24 Mahany et al didn't disclose the method further comprising amplifying the return link communication signal before the communicating the return link communication signal. Kamgar et al discloses the method further comprising amplifying the return link communication signal before the communicating the return link communication signal. (col 2, lines 59-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a LNA in order to have the received signal increase its amplification via one common notoriously old component of the receiver's front end circuitry.

Regarding claim 26, Mahany et al discloses the method according to claim 24 wherein Mahany et al didn't further disclose the housing includes adjustment circuitry configured to receive the return link communication signals from the communication circuits and to adjust an electrical characteristic of the return link communication signals.

Kamgar et al further discloses the housing includes adjustment circuitry 140 configured to receive the return link communication signal from the communication circuitry and to

adjust an electrical characteristic of the return link communication signal (col 4, lines 23-35; col 1, lines 54-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to adjust the return link communication signal in order to reduce intermodulation interference and to stabilize the amplified signal.

Regarding claim 27, Mahany et al and **Kamgar et al** discloses the method according to claim 26 wherein Kamgar et al further discloses the adjusting provides a return link communication signal having a substantially constant level (col 4, lines 29-30; col 3, lines 55-57).

Regarding claim 28, Mahany et al and **Kamgar et al** discloses the method according to claim 26 wherein Kamgar et al further discloses the adjusting comprises adjusting using automatic gain control circuitry 140 (col 4, lines 23-35).

Regarding claim 32, Mahany et al discloses the method according to claim 31 Mahany et al didn't further disclose the method further comprising amplifying the return link communication signals before the communicating the return link communication signals.

Kamgar et al discloses the method further comprising amplifying the return link communication signals before the communicating the return link communication signals. (col 2, lines 59-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a LNA in order to have the received signal increase its amplification via one common notoriously old component of the receiver's front end circuitry.

Regarding claim 33, Mahany et al further discloses the method according to claim 31 wherein Mahany et al didn't further disclose the method comprising adjusting at least one characteristic of the return link communication signals after the receiving the return link communication signals.

Kamgar et al discloses the method comprising adjusting at least one characteristic of the return link communication signals after the receiving the return link communication signals (col 4, lines 23-35; col 1, lines 54-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to adjust the return link communication signal in order to reduce intermodulation interference and to stabilize the amplified signal.

Regarding claim 34, Mahany et al and Kamgar et al disclose the method according to claim 33 wherein Kamgar et al discloses the adjusting provides a return link communication signals having a substantially constant level (col 4, lines 29-30; col 3, lines 55-57).

Regarding claim 35, Mahany et al and Kamgar et al disclose the method according to claim 33 wherein Kamgar et al further discloses the method according to claim 33 wherein the adjusting comprises adjusting using automatic gain control circuitry 140 (col 4, lines 23-35).

3. Claims 7, 9, 16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al (US 5,657,317) in view of Lanzl (US 6,353,406).

Regarding claim 7, Mahany et al discloses the wireless communication system according to claim 1 wherein Mahany et al didn't further disclose the communication circuitry includes a coaxial RF cable. Lanzl further discloses the communication circuitry includes a coaxial RF cable (col 33, lines 30-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a coaxial RF cable in order to transmit and receive identification tags' signals.

Regarding claim 9, Mahany et al discloses the wireless communication system according to claim 1 wherein Mahany et al didn't further disclose the remote communication device comprises a radio frequency identification device. Lanzl et al discloses the remote communication device comprises a radio frequency identification device (col 3, lines 3-18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a radio frequency identification device in order to track and locate the device easily.

Regarding claim 16, Mahany et al discloses the interrogator according to claim 10 wherein Mahany et al didn't further disclose the communication circuitry includes a coaxial RF cable. Lanzl further discloses the communication circuitry includes a coaxial RF cable (col 33, lines 30-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a coaxial RF cable in order to transmit and receive identification tags' signals.

Regarding claim 29, Mahany et al discloses the method according to claim 24 wherein Mahany et al didn't further disclose the providing at least one remote communication device comprises providing a radio frequency identification device.

Lanzl et al discloses the providing at least one remote communication device comprises providing a radio frequency identification device (col 3, lines 3-18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a radio frequency identification device in order to track and locate the device easily.

4. Claims 42-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al (US 6,324,387) in view of Kamgar and further in view of Lanzl (US 6,353,406).

Regarding claim 42, Mahany et al discloses an interrogator (master LAN peripheral device) comprising:

a plurality of communication stations (radio units of master LAN peripheral device); configured to output a plurality of return link communication signals (col 51, lines 49-50),

Mahany et al didn't specifically disclose:

wherein the communication stations individually comprise a low noise amplifier configured to increase the power of a respective one of the communication signals;

a plurality of coaxial cables coupled with respective communication stations and configured to communicate respective return link communication signals of the respective communication stations.

Kamgar et al further discloses wherein the communication stations individually comprise a low noise amplifier 105 configured to increase the power of a respective one of the communication signals (col 2, lines 59-62); an interface coupled with respective

communication stations and configured to communicate respective return link communication signals of the respective communication stations.

Mahany et al and Kamgar didn't further disclose:

a plurality of coaxial cables coupled with respective communication stations and configured to communicate respective return link communication signals of the respective communication stations.

Lanzl further discloses a plurality of coaxial cables coupled with respective communication stations and configured to communicate respective return link communication signals of the respective communication stations (col 33, lines 30-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a coaxial RF cable in order to transmit and receive identification tags' signals and to have a LNA in order to have the received signal increase its amplification via one common notoriously old component of the receiver's front end circuitry.

Regarding claim 43, Mahany et al, Kamgar et al and Lanzl discloses the interrogator of claim 42 wherein Mahany et al discloses the communication stations are individually configured to output a forward link wireless signal (request to send message; col 51, lines 41-45); and

receive a return link wireless signal responsive to the outputting of the forward link wireless signal "clear to send" message (col 51, lines 45-47); wherein

Lanzl further discloses the receiving to implement radio frequency identification device communications (col 3, lines 3-18). It would have been obvious to one of ordinary skill

in the art at the time the invention was made to have a radio frequency identification device in order to track and locate the device easily.

Double Patenting

Claims 18-22, 31-43 is rejected under the judicially created doctrine of double patenting over claim 1 of U. S. Patent No. 6,336,764 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: see claim 1 of US 6,336,764.

Claims 1-17, 24-30 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,336,764. Although the conflicting claims are not identical, they are not patentably distinct from each other because the plurality of communication stations is obvious to one of ordinary skill in the art as to considering one communication station at a time.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lana Le

February 23, 2004

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